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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/50/635/Add.3)]

50/197. Situation of human rights in the Sudan

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights, 2/ the International Convention on the Elimination of All Forms of Racial Discrimination, 3/ and the Convention on the Rights of the Child, 4/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to comply with the obligations laid down in the various instruments in this field,

Recalling the obligation by all parties to respect international humanitarian law,

Recalling also its resolution 49/198 of 23 December 1994, and taking note of Commission on Human Rights resolution 1995/77 of 8 March 1995, 5/

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ Resolution 2106 A (XX), annex.

4/ Resolution 44/25, annex.

5/ See Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

Noting with deep concern reports of grave human rights violations in the Sudan, particularly summary executions, detentions without trial, forced displacement of persons and torture, as described in reports submitted to the Commission on Human Rights by the Special Rapporteur on the question of torture, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the question of religious intolerance,

Welcoming the third and latest interim report of the Special Rapporteur on the situation of human rights in the Sudan, 6/ and noting with concern the continuing violations of human rights in the Sudan,

Concerned about continuing indiscriminate and deliberate aerial bombardments by the Government of the Sudan of civilian targets in southern Sudan, in clear violation of international humanitarian law, which have added to the suffering of the civilian population and resulted in casualties to civilians, including relief workers,

Deeply concerned that access by the civilian population to humanitarian assistance continues to be impeded, which represents a threat to human life and constitutes an offence to human dignity,

Expressing the hope that the continuing dialogue between the Government of the Sudan and other parties and donor Governments, Operation Lifeline Sudan and international private voluntary agencies will result in improved cooperation for the delivery of humanitarian assistance to all persons in need,

Alarmed by the large number of internally displaced persons and victims of discrimination in the Sudan, including members of ethnic minorities who have been forcibly displaced in violation of their human rights and who are in need of relief assistance and protection,

Alarmed also by the mass exodus of refugees into neighbouring countries and conscious of the burden that this places on those countries, but expressing its appreciation for the efforts of host countries and of the international community to assist the refugees,

Deeply concerned by the conclusion of the Special Rapporteur, also stated in his previous reports, that grave and widespread violations of human rights by government agents, as well as abuses by members of parties to the conflict in southern Sudan other than the Government of the Sudan, continue to take place, including extrajudicial killings, enforced or involuntary disappearances, abductions, slavery, systematic torture and widespread arbitrary arrests of suspected political opponents, 7/

Alarmed by the continuing failure of the Sudanese authorities to investigate human rights violations and abuses brought to their attention over the past years,

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6/ A/50/569, annex.

7/ Ibid., para. 72.

Gravely alarmed that since February 1994 there have been increasing reports from a wide variety of sources indicating that atrocities by the Government of the Sudan against the local population in the area of the Nuba Mountains have intensified,

Concerned by reports of religious persecution in areas of the conflict zone controlled by the Government of the Sudan and of discrimination based upon religion in the provision of shelter and relief,

Deeply concerned by the Special Rapporteur's conclusion that the abduction of persons, mainly women and children, belonging to ethnic and religious minorities from southern Sudan, the Nuba Mountains and the Ingessana Hills area, and their subjection to the slave trade, servitude and forced labour are taking place with the knowledge of the Government of the Sudan, 8/

Also deeply concerned about the problem of unaccompanied minors and the use of children as soldiers by all parties despite repeated calls from the international community to put an end to this practice, as described in the report of the Special Rapporteur,

Recognizing the fact that the Sudan has been hosting large numbers of refugees from several neighbouring countries over the past three decades,

Welcoming the release of some of the political prisoners by the Government of the Sudan in August 1995, and noting its recent announcement of open, free and fair elections in 1996,

Also welcoming the efforts of the United Nations and other humanitarian organizations to provide humanitarian relief to those Sudanese in need,

Further welcoming the dialogues and contacts between non-governmental organizations and the religious minorities in the Sudan, aimed at developing a more balanced relationship between the Government of the Sudan and the religious minority groups,

1. Expresses deep concern at the serious, widespread and continuing human rights violations in the Sudan, including extrajudicial killings and summary executions; detentions without due process; forced displacement of persons; enforced or involuntary disappearances; torture and other forms of cruel and unusual punishment; slavery, practices similar to slavery and forced labour; and denial of the freedoms of expression, association and peaceful assembly;

2. Urges the Government of the Sudan to investigate without delay the cases of slavery, servitude, slave trade, forced labour and similar practices brought to its attention and to take all appropriate measures to put an immediate end to these practices;

3. Takes note with appreciation of the interim report of the Special Rapporteur;

8/ Ibid., para. 75.

4. Welcomes the recommendation of the Special Rapporteur that human rights monitors be placed at the earliest possible date in such locations as will facilitate improved information flow and assessment and independent verification of reports on the situation of human rights in the Sudan; 9/

5. Calls upon the Government of the Sudan to comply with applicable international human rights instruments to which the Sudan is a party, in particular the International Covenants on Human Rights, 2/ the International Convention on the Elimination of All Forms of Racial Discrimination, 3/ the Convention on the Rights of the Child, 4/ the Slavery Convention, as amended, 10/ and the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, 11/ to implement those instruments to which it is a party and to ensure that all individuals in its territory and subject to its jurisdiction, including members of all religious and ethnic groups, enjoy fully the rights recognized in those instruments;

6. Urges the Government of the Sudan to cease immediately all aerial attacks on civilian targets and other attacks that are in violation of international humanitarian law;

7. Calls upon parties to the hostilities to respect fully the applicable provisions of international humanitarian law, including article 3 common to the Geneva Conventions of 12 August 1949, 12/ and the Additional Protocols thereto, of 1977, 13/ to halt the use of weapons against the civilian population and to protect all civilians, including women, children and members of ethnic and religious minorities, from violations, including forcible displacement, arbitrary detention, ill-treatment, torture and summary executions, and deplores the consequences for innocent civilians of the use of landmines by government and rebel forces alike;

8. Again calls upon the Government of the Sudan and all parties to permit international agencies, humanitarian organizations and donor Governments to deliver humanitarian assistance to the civilian population and to cooperate with the initiatives of the Department of Humanitarian Affairs of the Secretariat and United Nations agencies working in the field, in particular Operation Lifeline Sudan, to deliver humanitarian assistance to all persons in need;

9. Reiterates its call upon the Government of the Sudan to ensure a full, thorough and prompt investigation by an independent judicial inquiry commission of the killings of Sudanese nationals employed by foreign relief organizations and foreign Governments;

9/ Ibid., para. 82 (j).

10/ United Nations, Treaty Series, vol. 212, No. 2861.

11/ Ibid., vol. 266, No. 3822.

12/ Ibid., vol. 75, Nos. 970-973.

13/ Ibid., vol. 1125, Nos. 17512 and 17513.

10. Welcomes the decision of the Commission on Human Rights to extend the mandate of the Special Rapporteur for an additional year;

11. Requests the Secretary-General to continue to provide the Special Rapporteur with all necessary assistance in the discharge of his mandate;

12. Deplores the continuing refusal of the Government of the Sudan to cooperate in any manner with the Special Rapporteur and the unacceptable threats against his person;

13. Calls upon the Government of the Sudan to extend its full and unreserved cooperation to the Special Rapporteur and to assist him in the ongoing discharge of his mandate and, to this end, to take all necessary steps to ensure that the Special Rapporteur has free and unlimited access to any person in the Sudan with whom he wishes to meet, with no threats or reprisals;

14. Invites the Special Rapporteurs of the Commission on Human Rights on the questions of religious intolerance and freedom of expression to consult with the Special Rapporteur on the situation of human rights in the Sudan and to consider and report on the situation in the Sudan, and calls upon the Government of the Sudan to extend to them its full cooperation, including inviting them to visit the Sudan;

15. Recommends the continued monitoring of the serious human rights situation in the Sudan and of the regional efforts to end the hostilities and human suffering in the south, and invites the Commission on Human Rights, at its fifty-second session, to give urgent attention to the situation of human rights in the Sudan;

16. Decides to continue its consideration of this question at its fifty-first session.

99th plenary meeting
22 December 1995